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the Elimination
of all Forms of
Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

Documents submitted in compliance with a request of the Committee under article 9, paragraph 1, of the Convention*

CZECH REPUBLIC

[14 January 1999]

* The present document contains additional information pursuant to a request of the Committee in decision 2 (53), adopted on 11 August 1998 (A/53/18, para. 22).

GE.99-40202 (E)

Position of the Government of the Czech Republic regarding the request of the Committee on the Elimination of Racial Discrimination contained in its decision 2 (53) of 11 August 1998

1. The Government of the Czech Republic expresses its appreciation to the Committee on the Elimination of Racial Discrimination. With reference to the Committee request of 11 August 1998 contained in its decision 2 (53) for information on the measures that, according to disturbing reports, are contemplated in certain municipalities and that could lead to a physical isolation (physical segregation) of some residential units housing Roma families, the Government of the Czech Republic presents the following information: Aside from the situation in Maticní Street in Nestemice, Usti nad Labem, North Bohemia, the Government is not aware of any other efforts in the Czech Republic to subject Romas to certain forms of isolation. The Government is confident that, in a society enjoying freedom of speech and of the press, such cases would become known to the general public, and thus to the Government.

2. For these reasons, the Government thinks that the plural form used in the Committee request is not appropriate in this situation.

3. What is more, the situation on Maticní Street, Nestemice, does not suggest physical isolation (much less segregation) of the tenants in the two residential blocks that are to be separated from the street by a fence 1.8 metres high, without gates. With the fence in place, the tenants will not have direct access to Maticní Street from the residential blocks. This measure would affect approximately 35 families (150 persons) living in the blocks, 90 per cent of whom are Romas. These families have been allocated "flats with minimum basic conveniences" in the two residential blocks by the local authority following eviction from their former homes due to non-payment of rent. The local government intends to build new footpaths for these families on the other side of the blocks that will give access to the main street at a point other than the present access.

4. The Government views this proposal of the local authority as grave and alarming. This measure might be understood as a possible infringement on human rights, namely of human dignity and equality before the law without distinction as to social and ethnic origin or property. The recent statements of certain memebers of the local authority in Nestemice suggest that the decision to erect the fence might be revoked.

5. The Government representative for human rights visited the locality in October 1998 and held talks with members of the local government and with the Romas. The visit by the President of the Republic in December 1998 further calmed the situation.

6. The Government greatly appreciates the fact that the Roma tenants on Maticní Street managed to join forces and, through their civic association, established a dialogue with the local government and removed the garbage that was one of the causes making non-Roma residents on Maticní Street call for the erection of a fence.

7. The Government also appreciates the efforts of the local authority to establish a dialogue with all parties concerned.

8. The Government has entrusted its representative for human rights with discussing with the local authority the imperative need consistently to respect human rights. It has further asked its representative to report to the Government on the results of this debate before the work on the proposed fence commences. Should the preparation for the erection of the fence actually start, the Government will consider legal steps to countermand such a decision by the local authority.

9. The relevant Government resolution is attached, demonstrating that all actions of the Government of the Czech Republic in this matter are completely transparent.

10. The Government has resolved that the attached information, together with further information, will be presented by Mr. Petr Uhl, Government representative for human rights, during consideration of the matter before the Committee on the Elimination of Racial Descrimination in March 1999.

11. The Government of the Czech Republic takes the opportunity to assure the Committee on the Elimination of Racial Discrimination of its resolve to cooperate effectively with the Committee.

Annex

RESOLUTION
OF THE GOVERNMENT OF THE CZECH REPUBLIC

Resolution No. 35 of 11 January 1999 regarding decision 2 (53) of the Committee on the Elimination of Racial Discrimination of 11 August 1998 concerning the Czech Republic:

The Government

I. Takes note of

1. Decision 2 (53) of the Committee on the Elimination of Racial Discrimination (hereinafter referred to as the "Committee") of 11 August 1998 concerning the Czech Republic, included in Part III of the dosumentation submitted; and

2. The report of the Government Representative for Human Rights on the intention of the local authority in Usti nad Labem, Nestemice, to erect a fence without gates separating residential blocks Nos. 4 and 6 on Maticní Street from the pavement on Maticní Street, which is included in Part IV of the documentation submitted.

II. Adopts a position of the Government on the question raised in the decision referred to in Article I/1 of the present resolution (hereinafter referred to as the "position"), which is included in Part V of the documentation submitted.

III. Directs

1. The Minister for Foreign Affairs to transmit this position to the Committee before 14 January 1999,

2. The Government Representative for Human Rights

(a) To represent the Government during the consideration of the position before the Committee at its fifty-fourth session in March 1999 at Geneva; and

(b) To negotiate, in consultation with the head of the district office in Usti nad Labem, with the local council or local authority in Usti nad Labem, Nestemice, regarding the intention referred to in article I/2 of the present resolution and to report to the Government on the results of such negotiations before the commencement of the proposed construction work.

Responsible officials:

Deputy Prime Minister and Chairman of the Government Legislative Council,
Minister of Foreign Affairs,
Government Representative for Human Rights,
Head of the District Office in Usti nad Labem.

(signed)
Prime Minister
MILOS ZEMAN